



INDUSTRY CIRCULAR

DEPARTMENT OF
THE TREASURY

Bureau of Alcohol, Tobacco and Firearms
Washington, D. C. 20226

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COUNTRY OF ORIGIN CERTIFICATION REQUIREMENTS FOR IMPORTED WINES AND DISTILLED SPIRITS

Proprietors of Distilled Spirits Plants, Bonded
Wineries, Importers And Other Concerned Parties:

Purpose: The purpose of this circular is twofold:
(1) to provide importers with a current listing of imported wines and distilled spirits which require certification by the country of manufacture and; (2) to inform importers of certification procedures for imported wines and distilled spirits which are transshipped to the United States from a country other than the country of origin.

Background: Over the past year ATF's Alcohol Import-Export Branch has conducted an extensive review of the Bureau's certification requirements for imported wines and distilled spirits. As part of this review, a survey of the top thirty (30) U.S. trading partners in beverage alcohol was conducted to obtain current information regarding their procedures for certifying the origin and identity of the wines and distilled spirits they export to the United States. Of the thirty (30) countries surveyed, twelve (12) countries responded that certificates of origin and/or identity are being issued for their exports.

An additional aspect of this review concerned the acceptance of "substitute" certificates of origin issued by third countries for transshipments of wines and distilled spirits exported to the United States. It has been the Bureau's policy to authorize the United States Customs Service (Customs) to accept certain substitute certificates, e.g. British Chamber of Commerce Certificates, in lieu of the original certificate issued by the country of manufacture. This procedure was authorized as a temporary measure to facilitate trade.

Requirements: Certification requirements for imported wines and distilled spirits appear in 27 CFR 4.45 and 5.52 for bottled wines and distilled spirits and in 27 CFR 5.56 for bulk distilled spirits. It is important to note that the certification requirements appearing in 27 CFR 4.45 for wines and 5.52(e) for a miscellaneous category of imported distilled spirits are contingent upon the individual Government's authority and decision to issue certificates of origin and identity for these commodities. In other words, if ATF is notified by a foreign Government that it is issuing certificates, ATF will then require that these certificates accompany all imported shipments of the wines and distilled spirits as specified by that Government.

Importers should be aware that a certificate of origin, age and/or identity is a mandatory requirement for specific types of distilled spirits exported to the United States. These distinctive products, representing various types and classes of distilled spirits, are specified in 27 CFR 5.52 - Subparagraphs (a) through (d).

The final decision, whether to permit entry of imported alcoholic beverages which require certification by the country of origin, rests with Customs. However, it is the Bureau's position that the intent of the regulations can be met only, if a specific certificate can be tied to a specific lot(s) of product. If requested by Customs, it is the responsibility of the U.S. importer to provide sufficient documentary evidence to establish this correlation.

Conclusion: Based on the responses to our survey, a listing was compiled of those countries which are currently issuing certificates of age, origin and/or identity for the wines and distilled spirits they export to the United States. This listing will provide the U.S. importer with details as to: (a) what certificates are currently being issued; (b) what products are covered by these certificates; and (c) who is authorized to issue these certificates. ATF will likewise notify all importers if additions and/or amendments to this listing are required. A complete listing of those countries who are currently issuing certificates is incorporated as an addendum to this circular.

Action: ATF has officially notified Customs that effective January 1, 1988, all imported wines and distilled spirits, as identified on the referenced addendum, are not to be released from Customs Custody unless the invoice is accompanied by the original and appropriate certificate issued by the country of manufacture.

In addition, Customs was advised that a photocopy of the original certificate issued by the country of manufacture will be acceptable for imported wines and distilled spirits which were exported to the United States from a country other than the country of manufacture.

This industry circular supercedes the instructions contained in the following circulars: #59-5, #59-28, #59-53, #60-5, #60-47, #61-24, #61-25, #61-30, #62-34, #70-23 and #72-17.

Inquiries. Inquiries concerning this circular should refer to its number and be addressed to the Associate Director (Compliance Operations), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226.

Stephen E. Higgins
Director

ADDENDUM

LIST OF COUNTRIES WHICH CURRENTLY ISSUE
COUNTRY OF ORIGIN CERTIFICATES
FOR WINE AND/OR DISTILLED SPIRITS
EXPORTS TO THE UNITED STATES

BULGARIA

The Bulgarian Chamber of Commerce and Industry is authorized to issue country of origin certificates for all Bulgarian wines and/or distilled spirits exported to the United States. This document is entitled "Certificate of Origin" and is stamped with ~~the official seal of the Bulgarian Chamber of~~ Commerce.

CANADA

Canadian distillers are authorized to issue age and origin certificates for Canadian whiskey, Canadian rye whiskey, rum, brandy, and Highland whiskey exports to the United States. These certificates are signed by Canadian Excise Officers who are in charge of the various licensed distilleries. This document is entitled "Certificate of Age and Origin."

CHILE

The Servicio Agrícola y Ganadero, an agency of the Ministry of Agriculture, is responsible for the issuance of country of origin certificates for all Chilean wines and distilled spirits exports to the United States. This document is entitled "Certificate of Origin," Form A and is stamped with the official seal of the agency.

FRANCE

Certificates of origin (Acquits-a-caution) are issued by the French Direction Generale des Impots for all shipments of French wines and distilled spirits exported to the United States. It should be noted that certain acquits have been incorporated into community (EEC) documents, namely VA-1 (for ordinary table and sparkling wines), VA-2 (for still and sparkling wines of appellation d'origine controlee) and VA-4 (for wines which have undergone an addition of alcohol).

WEST
GERMANY

The German Government has authorized all of its 69 Chambers of Industry and Commerce to issue country of origin certificates for all German wines (with the exception of "May" and sparkling wines) and all distilled spirits exported to the United States. The certificate of origin for German wines is entitled "Certificate of Origin for German Wine to the USA." For distilled spirits a form entitled "Certificate of Origin and Age" is issued. A listing of the 69 German Chambers of Industry and Commerce can be obtained by written request to the ATF address provided for in the inquiries section of this circular.

UNITED
KINGDOM

Certificates of age and origin are issued by a British Officer of Customs and Excise for all shipments of Scotch whisky and Irish whiskey (manufactured in northern Ireland) exported to the United States. This document is entitled "Certificate for Scotch Whisky/Irish Whiskey Exported to the United States of America," Form C&E 94 and are signed by an officer of H.M. Customs and Excise. It should be noted that this form was recently revised by the British Government.

IRELAND

The Republic of Ireland issues a certificate of age and origin for all Irish whiskey exports to the United States. This certificate is entitled "Certificate of Origin, Age and Conformity with the Immature Spirits Acts for Spirits Exported To," Form C. and E. No. 94(a) and is prepared by a Customs and Excise Officer.

JAMAICA

A certificate of age and origin is issued for exports of Jamaican rum to the United States when the bottle label contains a statement of age. This certificate, referred to as an "Excise Certificate" is issued by the Jamaican Collector General and attests to the age and origin of the rum.

MEXICO

The "Certificado De Exportacion" is the official certificate issued by the Mexican Government which attests to the authenticity of the Tequila exported to the United States. In compliance with 27 CFR 5.52(c), this certificate must accompany all tequila exports to the United States. These certificates are issued by the "Direccion General de Normas" of the Secretaria de Comercio y Fomento Industrial. The following Mexican Government officials are the only individuals authorized to sign the "Certificado De Exportacion":

Lic. Consuelo Saenz Pueyo
Directora General de Normas

Lic. Manuel Franco Gutierrez
Delegado Federal, Guadalajara

N.B. - The certificate of identity for tequila, the "Certificado De Exportacion" must accompany all bulk shipments of tequila from Mexico. This certificate must be maintained by the U.S. bottler at his bottling premises.

PORTUGAL

The Government of Portugal has authorized the following regional authorities to issue certificates of origin for Portugese wines and brandies exported to the U.S.:

The Madeira Wine Institute - Madeira Wines

The Commission of Viticulture of the Region of Vinhos Verdes for Vinho Verde Wines and Brandies

The Federation of Wine Growers of Dao for Dao Wines and Brandies

The Regional Bar of Colares - Colares Wines

National Wine Boards - Wines with denomination of origin Moscatel de Setubal or, merely Setubal, Carcavelos, Algarve, Bairrada and Bucelas; Rose Wines from Beiras, Ribatejo-Oeste and Tras-os-Montes; Wines and Brandies from any other growing regions.

ROMANIA

The Romanian Chamber of Commerce and Industry issues certificates of origin for the wines listed below. This document is entitled "Certificate of Origin".

Cabernet Sauvignon
Pinot Noir
Tarnave Castle Riesling
Valea Blanc
Sauvignon Blanc
Cotnari
Sparkling wines - methode Champenoise

SPAIN

A certificate of age and origin is issued for all Spanish brandies exported to the United States. The "Estacion de Viticultura y Enologia" at Jerez de la Frontera is the only agency authorized by the Spanish Government to issue this certificate. This certificate has no title or form number associated with it.